

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 17-cr-20824

v.

JAMAL WEEMS,

Hon. Sean F. Cox
United States District Court Judge

Defendant.

_____ /

**MEMORANDUM ORDER GRANTING GOVERNMENT'S MOTION FOR
REVOCATION OF ORDER OF RELEASE**

Defendant Jamal Weems was released by a magistrate judge pending the resolution of alleged-supervise release violations. After Defendant pled guilty to those violations but before sentence was imposed, he was alleged to have committed additional violations, including leaving the State of Michigan. Defendant pled guilty to these additional violations as well, and the Court now revokes the magistrate judge's order of release and orders Defendant detained pending sentencing on Defendant's numerous supervised-release violations.

BACKGROUND

Defendant Jamal Weems began a term of supervised release on May 24, 2023. On February 6, 2024, U.S. Probation Officer Mary Whitt submitted a six-count petition ("Petition") alleging that Defendant had violated the terms of his supervised release. The Court issued a summons (ECF No. 51), and Defendant made an initial appearance on March 19, 2024, before Magistrate Judge Kimberly G. Altman. Magistrate Judge Altman ordered Defendant released, and Defendant pled guilty to the violations alleged in the Petition on March 27, 2024.

Officer Whitt subsequently amended the Petition (“Amended Petition”), and the Amended Petition alleged two new supervised-release violations. (ECF No. 61). Specifically, the Amended Petition alleged that Defendant tested positive for cocaine in February 2024, and left this judicial district to visit Atlanta, Georgia, on April 1, 2024. The Amended Petition also alleged that Defendant posted on social media about his intention to leave this district on March 18, 2024, the day before his initial appearance before Magistrate Judge Altman.

Defendant made an initial appearance before this Court on the new supervised-release violations alleged in the Amended Petition on May 3, 2024, where Defendant pled guilty to those violations. At that hearing, the Government orally moved to revoke Magistrate Judge Altman’s order of release under 18 U.S.C. § 3145(a)(1), which Defendant opposed. The Court heard both parties, granted the Government’s motion, and ordered Defendant detained pending sentencing on his supervised-release violations. This memorandum opinion further explains the Court’s reasoning.

STANDARD OF REVIEW

“If a person is ordered released by a magistrate judge, . . . the attorney for the Government may file, with the court having original jurisdiction over the offense, a motion for revocation of the order.” 18 U.S.C. § 3145(a)(2). The parties agreed at the May 3, 2024, hearing that this Court applies Fed. R. Crim. P. 32.1(a)(6) in reviewing such motions, which provides that “[t]he burden of establishing by clear and convincing evidence that the person will not flee or pose a danger to any other person or to the community rests with the person.”

ANALYSIS

Defendant failed to carry his burden to show by clear and convincing evidence that he will not flee this district. Defendant admitted that he planned to leave this district in advance of

his initial appearance before Magistrate Judge Altman, and that he followed through with this plan in violation of the conditions of his supervised release. Defendant argued that he will not flee because he has close ties to this community and a stable job. This is insufficient, especially given Defendant's flagrant disregard for the term of his supervised release that required him not to leave this district.

Accordingly, **IT IS ORDERED** that the Government's motion for revocation of release order is **GRANTED** for these reasons stated on the record at the May 3, 2024, hearing and in this opinion.

IT IS FURTHER ORDERED that Magistrate Judge Kimberly G. Altman's March 19, 2024, order releasing Defendant Jamal Weems is **REVOKED**.

IT IS FURTHER ORDERED that Defendant Jamal Weems be **DETAINED** pending sentencing on his supervised release violations.

IT IS SO ORDERED.

Dated: May 3, 2024

s/Sean F. Cox
Sean F. Cox
U. S. District Judge